

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
Clerk's Office
USDC, MA.
Date 9-15-04
By [Signature]
Deputy Clerk

EASTERN CONTRACTORS, INC.,

Plaintiff,

v.

CITY OF WORCESTER and THOMAS
R. HOOVER, City Manager, and HEERY
INTERNATIONAL, INC. and THOMAS E.
ELLIS, JR.

Defendants.

Civil Action No. 03-12216MLW

AFFIDAVIT OF WARREN D. HUTCHISON

I, Warren D. Hutchison, hereby depose and state the following under oath:

1. I am a partner in the law firm of Donovan Hatem LLP and counsel of record for the defendants, Heery International, Inc. and Thomas E. Ellis, Jr. (collectively "Heery").

2. Attached to Heery's motion for summary judgment as **Exhibit B** is a true and accurate copy of the Affidavit of Ramesh K. Motwane in Support of Plaintiff's Application for Preliminary Injunction previously filed by Eastern Contractors, Inc. with the Court.

3. Attached to Heery's motion for summary judgment as **Exhibit G** is a true and accurate copy of the Amended Verified Complaint previously filed by Eastern Contractors, Inc. with the Court.

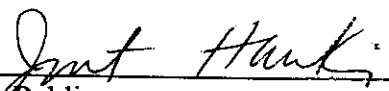


Warren D. Hutchison

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

There appeared before me the above-named Warren D. Hutchison to me known, who stated, when asked, that the statements contained therein are true and accurate to the best of his knowledge.



Notary Public
My Commission Expires: _____

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